### **COMMITTEE ON CLAIMS AND PENDING SUITS**

**AGENDA** 

**DECEMBER 15, 2005** 

The Aldermen Chamber

6:00 o'clock P.M.

WATER SUPPLY BOARD

1.) THOMAS BIAGETTI (Mark B. Morse, Esquire), 111 Wayland Avenue, Providence, RI 02906, 05-410. Compensation for injuries sustained on September 7, 1998, whereby petitioner was a passenger in a vehicle driven by Patricia DiMuccio, who had to swerve to avoid a defect in the road in front of 25 Howard Avenue, Cranston. Said defect was allegedly caused by work done by the Water Supply Board. (Denied October 27, 2005)

2.) PATRICIA DI MUCCIO (Mark B. Morse, Esquire), 111 Wayland

Avenue, Providence, RI 02906, 05-411. Compensation for injuries sustained on September 7, 1998, whereby petitioner was involved in and accident, when she had to swerve to avoid a defect in the road in front of 25 Howard Avenue, Cranston. Said defect was allegedly caused by work done by the Water Supply Board. (Denied October 27, 2005)

3.) YORYI HERRERA (Christopher E. Fay, Esquire), 917 Reservoir Avenue,

Cranston, RI 02910, 05-457. Compensation for damages sustained on October 20, 2005, whereby petitioner's vehicle was involved in an accident with a Water Supply Board vehicle driven by Bryan Stetson.

4.) AARON MARTELL (Charles A. Hirsch, Esquire), 888 Reservoir Avenue, Cranston, RI 02910, 05-437. Compensation for injuries and damages sustained on September 19, 2005, whereby petitioner was involved in an accident with a Water Supply Board vehicle.

5.) PROVIDENCE WASHINGTON INSURANCE a/s/o JAMES & STEVRA SOUCY, 88 Boyd Avenue, East Providence, RI 02914, 05-473.

Compensation for damages sustained on November 7, 2005, whereby petitioner was involved in an accident with a Water Supply Board vehicle.

Aquidneck Claims \$6,106.76

Passport Automotive \$7,343.03

6.) ALLISON ROCK, 136 Washington Road, Barrington, RI 02806, 05-433. Compensation for damages sustained on October 14, 2005, whereby petitioner's vehicle "dropped into a large hole in the road" on Eddy Street.

Fred's Service Center Inc. \$722.34

7.) BERTRAM J. TIVEY, JR. 104 Aberdeen Street, West Warwick, RI 02893,

05-445. Compensation for damages sustained on August 16, 2005, whereby a Water Supply Board vehicle, driven by Joao Barbosa, backed into petitioner's stone wall at 93 Aberdeen Street, West Warwick.

8.) NELSON YEPEZ (Christopher E. Fay, Esquire), 917 Reservoir Avenue, Cranston, RI 02910, 05-458. Compensation for injuries sustained on October 20, 2005, whereby petitioner was involved in an accident with a Water Supply Board vehicle driven by Bryan Stetson.

9.) CLARICE SMITH, 362 Adelaide Avenue, Providence, RI 02907, 05-344. Compensation for damages sustained on February 16, 2005, whereby during the installation of a water meter workers from the Water Supply Board allegedly cracked a pipe at 362 Adelaide Avenue. (Continued September 28, 2005; Continued October 27, 2005)

Roto-Rooter \$4,150.00 Statewide Plumbing \$3,999.00

# **DEPARTMENT OF PUBLIC WORKS**

10.) ELSBETH R. ADLER, 30 Blackstone Boulevard, #203, Providence, RI 02903, 05-451. Compensation for damages sustained on October 18, 2005, whereby petitioner hit the new extended sidewalk located on

the corner of Hope and Tenth Street.

East Side Servicenters, Inc. \$325.80

11.) RONALD C.F. ANTONY, 130 Congdon Street, #1, Providence, RI 02906, 05-372. Compensation for damages sustained on August 19, 2005, whereby petitioner hit a pothole on Benefit Street.

North Providence Tire & Auto Center, Inc. \$237.10

12.) RONALD C.F. ANTONY, 130 Congdon Street, #1, Providence, RI 02906, 05-477. Compensation for damages sustained on October 19, 2005, whereby petitioner hit a pothole on Benefit Street.

13.) JOHN AMADO, 247 Transit Street, Providence, RI 02906, 05-459. Compensation for damages sustained on or about September 1, 2005, whereby petitioner alleges garbage trucks damaged his sidewalk at 247 Transit Street.

14.) ANGELINA S. BARROS, 2542 West Boniwood Turn, Clinton, MD 20735, 05-316. Compensation for damages sustained on June 2, 2005, whereby petitioner hit an out of place manhole cover on Camp Street. (Continued October 27, 2005)

Scott Volkswagen \$1,867.07

15.) CAROLINA CAPRIO-PACE, 435 Scituate Avenue, Cranston, RI 02921, 05-432. Compensation for damages sustained on October 9, 2005, whereby petitioner "hit and fell into a crater" on Harris Avenue.

**Sears** \$115.08

16.) CARMEN M. GONZALEZ CASTILLO, 390 Webster Avenue, Cranston, RI 02920, 05-374. Compensation for damages sustained on June 27, 2005, whereby petitioner's parked vehicle was struck by a City truck.

Dynasty Auto Body \$1,190.51

Distinctive Auto Body, Inc. \$1,250.59

17.) LAURIE M. CERVINI, 41 Concord Street, Providence, RI 02904, 05-454. Compensation for damages sustained on October 29, 2005, whereby petitioner hit a pothole on Elmwood Avenue.

18.) KAREN A. CRAWFORD, 271 Snuff Hill Road, Saunderstown, RI 02874, 05-441. Compensation for damages sustained on October 14, 2005, whereby petitioner hit a pothole on Eddy Street.

**Tirepros** \$220.31

**Tarbox** \$488.84

19.) MARY L. DALEY, 187 Modena Avenue, Providence, RI 02908, 05-407. Compensation for damages sustained on July 21, 2005, whereby tree limbs struck petitioner's railing during the removal of a tree in front of 187 Modena Avenue.

Carl's Masonry & Concrete \$300.00 Gem Service \$340.00 20.) EMILIA DA SILVA, 27 Massie Avenue, Providence, RI 02905, 05-388. Compensation for damages sustained on September 2, 2005, whereby petitioner hit a pothole on Carr Street.

Sears Auto Center \$199.29

21.) MAMADOU DIALLO (Christopher E. Fay, Esquire), 917 Reservoir Avenue, Cranston, RI 02910, 05-462. Compensation for injuries sustained on July 19, 2005, whereby petitioner was involved in an accident at the intersection of Charles and Randall Streets, allegedly due to the hiring of an incompetent contractor to maintain that intersection while under construction.

22.) JOSEPHINE DIDIUK, 17 Mark Lee Road, Needham, MA 02494, 05-448. Compensation for damages sustained on October 15, 2005, whereby petitioner hit a pothole.

23.) JERROLD N. DORFMAN, 531 Wayland Avenue, Providence, RI 02906, 05-242. Compensation for damages sustained in late fall 2004,

whereby petitioner alleges damage to his front lawn during the repair of the sidewalk.

Thompson Organic Landscaping \$425.00

24.) MARIAN GOLDITCH, 153 Fourth Street, Providence, RI 02906, 05-430. Compensation for damages sustained on October 16, 2005, whereby petitioner struck an island in the road at the corner of Fourth Street and Lorimer Avenue.

**Sears** \$221.64

25.) CYNTHIA M. LEEDHAM, 29 Rice Street, Pawtucket, RI 02861, 05-420. Compensation for damages sustained on September 30, 2005, whereby petitioner hit a large "dip" in the road on Stimpson Avenue.

**Apex Tire & Service Center** \$85.00

26.) TORRELL T. MOLA, 466 Admiral Street, B, Providence, RI 02908,

05-254. Compensation for damages sustained on April 9, 2005, whereby petitioner hit a pothole.

Jimmy's Auto Service \$1,200.00 Pichardo Auto Repairs \$ 749.00

27.) KATHLEEN A. O'NEILL, 91 Sterling Street, Pawtucket, RI 02860, 05-440. Compensation for damages sustained on October 19, 2005, whereby petitioner hit a pothole on Blackstone Boulevard.

Jerry's Service, Inc. \$131.51

28.) ELIZABETH M. PALUMBO, 133 Hartshorn Road, Providence, RI 02906, 05-447. Compensation for damages sustained on October 24, 2005, whereby petitioner hit a pothole on Blackstone Boulevard.

Good Year Auto Service Center \$1,073.21

29.) ANTOINETTE POISSON, 48 Byron Avenue, Pawtucket, RI 02861,

05-403. Compensation for damages sustained on September 15, 2005, whereby petitioner struck a cast iron street water cover on North Main Street. (Denied October 27, 2005)

**Pepboys** \$51.02

30.) HELEN SIMMONS, 276 Hamilton Street, Providence, RI 02907, 05-471. Compensation for damages sustained on November 15, 2005, whereby petitioner hit a pothole on Blackstone Street.

Reservoir Auto Repair \$124.00

31.) CATHERINE B. WINCHILD, 39 Methyl Street, Providence, RI 02906, 05-475. Compensation for damages sustained on October 18, 2005, whereby petitioner hit a pothole on Blackstone Boulevard.

FIRE DEPARTMENT

32.) METLIFE AUTO & HOME a/s/o ANN BASILICO, P.O. Box 668, Warwick, RI 02887, 05-431. Compensation for damages sustained on July 3, 2005, whereby petitioner was involved in an accident with a Fire Department vehicle.

Claim \$942.06

## PARKS DEPARTMENT

33.) APRIL N. CALITRI, 109 Oakland Avenue, Providence, RI 02908, 05-367. Compensation for damages sustained on August 13, 2005, whereby a large tree branch fell onto petitioner's vehicle.

Casale's Auto Body \$3,752.71
Auto Body Concepts, Inc. \$3,705.08

34.) BETTY COLLINS, 172 Narragansett Street, Cranston, RI 02905, 05-370. Compensation for damages sustained on August 5, 2005, whereby a tree branch hit petitioner's windshield.

Binswanger Glass \$262.87 Safelite Auto Glass \$306.82

35.) COMMERCE INSURANCE a/s/o MICHAEL P. YAMARTINO, 211 Main Street, P.O. Box 758, Webster, MA 01570-0758, 05-435. Compensation for damages sustained on August 5, 2005, whereby a tree fell onto petitioner's parked vehicle.

Claim \$4,528.63

36.) SEAN C. CORNELL, 55 Tampa Street, West Warwick, RI 02893, 05-449. Compensation for damages sustained on October 16, 2005, whereby a tree limb fell onto petitioner's parked vehicle.

Nissan of Smithfield \$558.22 Inskip \$575.66 37.) TRAVELERS a/s/o MATTHEW GOODMAN, 44 Bedford Street, P.O. Box 1450, Middleboro, MA 02344-1450, 05-438. Compensation for damages sustained on October 10, 2005, whereby a tree limb fell onto petitioner's parked vehicle.

### POLICE DEPARTMENT

38.) JILL S. VOTTA, 900 Smith Street, Providence, RI 02908, 05-401. Compensation for damages sustained on August 15, 2005, whereby petitioner alleges damage to her vehicle while it was being fingerprinted by the Providence Police Department.

#### TRAFFIC ENGINEERING

39.) AIESHA BOISVERT, 63 Daniels Street, Pawtucket, RI 02860, 05-155. Compensation for injuries and damages sustained on February 5, 2005, whereby petitioner was involved in an accident at

the intersection of Foster and Pine Streets, allegedly due to a missing stop sign.

Claim \$50,000.00

40.) SYLVESTRE JIMENEZ (Robert V. Russo, Esquire), 454 Broadway, Providence, RI 02909, 05-472. Compensation for injuries and damages sustained on October 16, 2005, whereby petitioner was involved in an accident at the intersection of Knight and Carpenter Streets, allegedly due to a missing stop sign.

Claim \$110,000.00

41.) LINDA PORTE (David P. Valletta, Esquire), 378 Broadway, Providence, RI 02909, 05-443. Compensation for injuries and damages sustained on October 20, 2005, whereby petitioner was involved in an accident at the intersection of Knight and Carpenter Streets, allegedly due to a missing stop sign.

42.) PROGRESSIVE a/s/o SHELLEY HOLMES, P.O. Box 89440,

Cleveland, OH 44101-6440, 05-482. Compensation for damages sustained on November 27, 2004, whereby petitioner was involved in an accident, allegedly due to a missing stop sign.

Claim \$987.12

43.) STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY a/s/o STEVEN W. BREWSTER, P.O. Box 8050, Ballston Spa, NY 12020-8050, 05-424. Compensation for damages sustained on September 18, 2005, whereby petitioner was involved in an accident at the intersection of Union and Webster Avenues, allegedly due to a traffic control device that was not properly functioning.

44.) ST. PAUL TRAVELERS a/s/o CRYSTAL SPRING WATER COMPANY/SHAWN ANDREWS, 44 Bedford Street, Middleboro, MA 02344, 05-442. Compensation for injuries and damages sustained on October 14, 2005, whereby petitioner was involved in an accident at the intersection of Carpenter and Knight Streets, allegedly due to a missing stop sign.

Certificates from the City Collector, No. 57, recommending the Cancellation of the taxes for the years 1993-2003, (Excise Tax-Bankruptcy) pursuant to Section 44-7-14 of the General Laws of Rhode Island, 1956, As Amended, as the same are determined to be uncollectable in the amount of (Twenty Five Thousand Four Hundred Two Dollars and Six (\$25,402.06) Cents.

Certificates from the City Collector, No. 58, recommending the Cancellation of taxes for the years 1995-2003 (Tangible Tax-Bankruptcy), pursuant to Section 44-7-14 of the General Laws of Rhode Island, 1956, As Amended, as the same are determined to be uncollectable, in the amount of Two Hundred Thirty Two Thousand, Twenty Three Dollars and Ten (\$232,023.10) Cents.

Certificates from the City Collector, No. 59, Recommending the cancellation of the taxes for the year 1993 in the amount of One Million Eight Hundred Thirty Five Thousand Three Hundred Thirty Seven Dollars and Eighty One (1,835,337.81) Cents and for the year

1994 in the amount of Two Million Seventy Thousand Twenty Four Dollars and Nine (2,070,024.09) Cents (Excise Tax), pursuant to Section 44-7-14 of the General Laws of Rhode Island, 1956, As Amended, as the same are determined to be uncollectible.

Certificates from the City Collector, No. 60, Recommending the cancellation of the taxes for the year 1993 in the amount of One Million One Hundred Ten Thousand Four Hundred Eighty Five Dollars and Fifty (\$1,110,485.50) Cents and for the year 1994 in the amount of One Million Twenty One Thousand Two Hundred Twenty Seven Dollars and Twenty Seven (\$1,021,227.27) Cents (Tangible Tax), pursuant to Section 44-7-14 of the General Laws of Rhode Island, 1956, As Amended, as the same are determined to be uncollectible.

Certificates from the City Collector No. 61, Recommending the cancellation of Real Estate Tax, for various years, pursuant to Section 44-7-14 of the General Laws of Rhode Island, 1956, As Amended, as the same are determined to be uncollectible, in the amount of Eleven Thousand Six Hundred Eighty One Dollars and Seventeen (\$11,681.17) Cents.

Certificates from the City Assessor (Nos. 1K and 2K) recommending the same be severally cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of General Laws of Rhode Island, As Amended.

Certificates from the City Assessor (Nos. 3K and 4K), recommending the same be severally cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

PER ORDER THE COMMITTEE ON CLAIMS AND PENDING SUITS
Councilman Peter S. Mancini
Chairman